

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

IN THE MATTER OF THE SEARCH OF
INFORMATION THAT IS STORED AT
PREMISES CONTROLLED BY GOOGLE,
1600 AMPHITHEATRE PARKWAY,
MOUNTAIN VIEW, CALIFORNIA 94043

Case No. 22-MR-1161

Judge: John F. Robbenhaar

JOINT MOTION TO UNSEAL CASE NO. 22-MR-1161

The United States of America, by and through its attorney, the United States Attorney for the District of New Mexico, and Google LLC (“Google”), by and through its counsel, hereby jointly move this Court to unseal the entire record for the above-captioned matter, including but not limited to the search warrant and non-disclosure order issued to Google in this matter, the application and affidavit in support of the warrant, Google’s motion to quash the warrant and supporting papers, Google’s reply, the United States’ motion to extend and supporting papers, and this Court’s orders.

The public has a common-law right of access to judicial records unless the parties articulate a “real and substantial interest that justifies depriving the public of access.” *Helm v. Kansas*, 656 F.3d 1277, 1292 (10th Cir. 2011). The filings and other records in this matter constitute judicial records because they “inform [the court’s] decision-making process.” *Id.*; *see also Matter of Search of 1638 E. 2nd Street, Tulsa, Okl.*, 993 F.2d 773, 775 (10th Cir. 1993) (quoting *Baltimore Sun Co. v. Goetz*, 886 F.2d 60, 64 (4th Cir. 1989)) (“‘affidavits for search warrants are judicial records’”). The United States and Google agree that there are no

countervailing interests that justify depriving the public of access. Unsealing the entire record for the above-captioned matter is therefore consistent with the “strong presumption in favor of public access to judicial records[.]” *Mann v. Boatright*, 477 F.3d 1140, 1149 (10th Cir. 2007).

Respectfully submitted,

Dated: August 20, 2024

By: /s/ Lorna M. Wiggins

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Dated: August 20, 2024

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of August, 2024, a copy of the forgoing was emailed to counsel for the United States of America, Assistant U.S. Attorney Kimberly Brawley, at Kimberly.Brawley@usdoj.gov



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